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APME-Warren Report NL

By ROBERT BURNETT

SAN DIEGO, Calif. AP -
Two attorneys for the Warren Commission which investigated the assassination of President John F. Kennedy clashed Thursday with words -- and a challenge to file libel action -- with two critics of the commission's report.

Joseph A. Ball, a senior counsel for the commission, and law Prof. Wesley J. Liebeler, a commission junior attorney, traded sharp statements with authors Mark Lane and Edward J. Epstein. At several points, Lane, author of ''Rush to Judgment'' and the attorney for the mother of accused assassin Lee Harvey Oswald, called the commission report fraudulent.

Appearing on a panel at the Associated Press Managing Ediors Association convention, Ball and Liebeler called the report fair and conclusive and criticized Lane and Epstein, author of ''Inquest.''

Ball hinted the critics of the report ignored evidence in shaping their versions of the Kennedy slaying. The commission found that Oswald alone killed President Kennedy.

At the core of the controversy was the decision of the U.S. government and the Kennedy family to withhold from public release autopsy photos and X rays of the dead president's body.

Epstein said most theories that the assassination was the result of a conspiracy depend on the autopsy photos.

He said the autopsy report indicated one bullet went through Kennedy's throat and hit Gov. John B. Connally of Texas. But, he said, a report by two FBI agents who were present at the autopsy said only one bullet hit Kennedy's back and it fell out of the wound.

''The autopsy photos might resolve this mystery,'' Epstein said. ''In a nutshell, if these autopsy photos reveal that the bullet exited the throat, the possibility there was a second assassin will be virtually reduced to nil.

''If they reveal that the bullet in question did not pass through the body -- that would substantially reduce the probability that Kennedy was killed by a single assassin.''

Liebeler and Lane had the sharpest exchange, with Liebel-

er inviting the author to file a libel suit against hin.

Liebeler said Lane's book was a ''tissue of distortion'' and he said when he had made similar charges previously Lane had threatened to sue him.

''I've been waiting anxiously for those papers ever since,'' Liebeler aOk. ''If you have them here—I'll be glad to accept service of process — because you know very well as soon as you do that, you're going to have to submit yourself to deposition under oath, and go through discovery proceedings, and that day I'll wait for, Mr. Lane.''

Lane, sitting next to Liebeler, said quietly, ''You'll have them very soon.''

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Epstein charged that Warren Commission attorneys did not resolve the contradiction posed by the autopsy report and the FBI version and did not include the FBI statement in the final report.

Critics of the Warren Commission have said Oswald could not have fired three bullets quickly enough and, therefore, there may have been more than one assassin.

Epstein urged that X rays and autopsy pictures be released for examination.

''As long as the photos are not analyzed,'' he said, ''the commission has not finished its job.''

Liebeler, in criticizing Epstein's book, said faulty research and scholarship went into its preparation.

''This book,'' he said, ''has done more to impugn the integrity of the Warren report than Mark Lane did. Epstein owes an obligation to the public to explain his work.

''If our work is examined in the true spirit of scholarship, I am confident that it will stand the test of history.''

Ball said the Warren Commission investigation ''was the most intensive ever conducted in this nation.''

''If we had followed the same distortions as Lane did in his book, I would be ashamed of

myself as a lawyer,'' Ball said.

He said Lane drew conclusions which were not warranted by the evidence and called this ''the technique of propaganda.''

Lane accused the press of failing in its duty following the assassination.

''Where was the press during the investigation by the Warren Commission?'' he asked. ''The press miserably failed the American public by not demanding open hearings of the Warren Commission.''

Lane called for creation of a new commission ''composed of perfons in whom the American public could have faith.''

Lane said such a commission should hold open hearings at which the interests of Oswald would be represented.

Ball is a Long Beach, Calif., attorney and a former president of the California Bar Association. Liebeler is a professor of law at the University of California at Los Angeles. Lane and Epstein live in New York.

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